

June 14, 2016

Regular meeting of the Mayor and Council of the Borough of Victory Gardens held on June 14, 2016.

Mayor Holeman called the meeting to order and declared a quorum present.

Pledge of Allegiance to the Flag of Our Country.

Please remain standing for a moment of silence for our military.

This meeting has been advertised in one newspaper, The Daily Record, in compliance with the New Jersey Open Public Meeting Act.

ATTENDANCE: Councilwoman Cheatham, Councilman Glass, Councilwoman Hedgepath, Councilman Jacobus, Councilman Lorenzo, Councilwoman Garcia Montes.

ABSENT: None

** Attorney Feintuch was also present at this meeting.

Motion to accept the minutes of May 24, 2016 as received by Councilwoman Montes, seconded by Councilman Jacobus. None opposed.

CORRESPONDENCE:

Hector Lorenzo - Everyone received a copy of Hectors letter. Let me know if you want to entertain this and I will put him on the agenda for the next meeting.

County of Morris - Grant funds for 2016 have been released. Grant award \$60,000. Playground Improvements. Do not start any work until a grant agreement has been completed.

CFO - Everyone has a copy of the last report that Amy did before she left.

Motion to accept correspondence as received by Councilwoman Montes, seconded by Councilman Jacobus and approved on verbal vote. None opposed.

VOUCHERS:

<u>Voucher #</u>	<u>Payable to:</u>	<u>Type of Service</u>	<u>Amount</u>
6-001	Dover Board of Education	School Taxes	75,231.34
6-002	Rockaway Twp. - Dept. of Comm. Se	Health Cont. Services	11,673.50
6-003	Peter Rubineti Private Disposal, LLC	Trash Removal - Garbage	10,533.33
6-004	RVRSa	RVRSa Share	7,847.00
6-005	Henry O. Baker Insurance Group	Insurance - Other	6,119.00
6-006	State of NJ - Div. of Pensions & Bene	Group Insurance	4,947.06
6-007	Phil Feintuch, ESQ	Legal Services OE	1,973.13
6-008	Anderson & Denzler Assoc., Inc.	Engineering OE	1,678.10
6-009	Dover Municipal Court	Muni Court Dover	1,470.42
6-010	NJNG	Utilities	723.00
6-011	NJNG	Fire OE	75.30
6-012	Morris County MUA	Road OE	492.00
6-013	Postmaster General - Dover Post Offi	Tax Collector OE	485.48
6-014	Shell Gas	Road OE	351.42
6-015	Herbert Evans, Jr.	Bldgs. & Grnds. OE	300.00
6-016	Verizon	Utilities	213.70
6-017	Verizon	Fire OE	98.92
6-018	The Animal Hospital of Roxbury	Dog OE	165.00
6-019	Dover Water Commission	Utilities	123.47
6-020	Vision Service Plan	Group Insurance	121.79
6-021	American Legion Post 27	Clerk OE - Memorial Day services	100.00
6-022	Boy Scout Troop	Clerk OE - Memorial Day services	100.00
6-023	Sunnyside Florist	Clerk OE - Memorial Day wreath	92.00
6-024	ATT	Utilities	89.04
6-025	Home Depot Credit Services	Bldgs. & Grnds. OE	42.40
6-026	Sussex County Collector's Assoc.	Tax Collector OE - meeting	40.00
6-027	MCTCTA C/O Arlene Eehalt, Treas.	Tax Collector OE - meeting	25.00
6-028	NJ Div. of Alcoholic Beverage Control	State Training Fees	6.00
6-029	Edwardo Martinez	Streets & Roads SW	2,489.52
6-030	Hector Lorenzo	Streets & Roads SW	1,452.88
6-031	Deborah Devery	Admin SW	1,020.00
			130,079.80

Motion to approve the vouchers for payment by Councilman Glass, seconded by Councilman Glass and approved on roll call:

Councilwoman Cheatham	Yes
Councilman Glass	Yes
Councilwoman Hedgepath	Yes
Councilman Jacobus	Yes
Councilman Lorenzo	Yes
Councilwoman Garcia Montes	Yes

NEW BUSINESS:

RESOLUTION FOR EXEMPTION FROM PUBLIC WORKS MANAGER - The Clerk said we do this every five years. We usually get the exemption just because of the size of our town. We have to go through the process of filing the application and the Resolution that goes with it. Everyone has a copy of the Resolution.

RESOLUTION REQUESTING EXEMPTION FROM
REQUIREMENT TO APPOINT A PRINCIPAL PUBLIC WORKS MANAGER


WHEREAS, the Borough of Victory Gardens, Morris County conducts minimal or no public works activity, and

WHEREAS, NJSA 40A:9-154.6g.d allows for an exemption from having to appoint a Principal Public Works Manager, and

WHEREAS, such exemption has previously been granted the Borough by the New Jersey State Department of Community Affairs, and

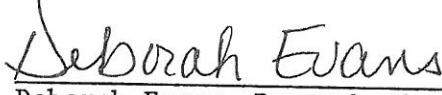
WHEREAS, the status and the condition of the Borough has not changed since the last exemption was granted,

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Victory Gardens, Morris County does hereby make application to the State of New Jersey, Department of Community Affairs for a municipal exemption from the requirement to appoint a Principal Public Works Manager.



Mayor, Borough of Victory Gardens

I, Deborah Evans, Clerk of the Borough of Victory Gardens, do hereby certify that this is true and exact copy of the Resolution adopted at a meeting of the Mayor and Council which was held on 6-14-2016.



Deborah Evans, Borough Clerk

Motion to approve the Resolution by Councilman Glass, seconded by Councilwoman Montes and approved on roll call:

Councilwoman Cheatham	Yes
Councilman Glass	Yes
Councilwoman Hedgepath	Yes
Councilman Jacobus	Yes
Councilman Lorenzo	Yes
Councilwoman Garcia Montes	Yes

NEW BUSINESS CONTINUED:

RESOLUTION FOR LIQUOR LICENSE FOR HONDO INC. t/a SHOWPLACE -

WHEREAS, the herinbelow names have duly filed application for renewal of their liquor license for their respective premises as shown for the year 2016, and

WHEREAS, no objections have been received from the public; and

WHEREAS, the required fees have been paid and all premises have been inspected and approved except as otherwise noted, by the Board of Health and the Bureau of Fire Prevention; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Victory Gardens that the said application be approved, and that the respective license be granted; and

BE IT FURTHER RESOLVED that in those cases where the inspectors of the different agencies of the Borough of Victory Gardens have found violations, the licensee shall comply and correct said violations within the time specified in the report by the various agencies.

BE IT FURTHER RESOLVED that the Borough Clerk be and is hereby authorized to issue license/certificates accordingly.

PLENARY RETAIL CONSUMPTION LICENSE

1437-33-002-002 South Salem Inc. T/A The Show Place
347 South Salem Street
Victory Gardens, N.J. 07801

ADOPTED: 6-14-16

Mayor, Borough of Victory Gardens

[Signature]

ATTEST: Deborah Evans
Deborah Evans, Borough Clerk

I, Deborah Evans, hereby certify that this is a true and exact copy of the Resolution adopted by the Mayor and Council of the Borough of Victory Gardens, at a meeting held on 6-14-16.

Deborah Evans
Deborah Evans, Borough Clerk

**** This Resolution DOES NOT include any special conditions.

Motion to approve the Resolution for Hondo Inc. t/a Showplace made by Councilwoman Cheatham, seconded by Councilman Jacobus and approved on roll call:

Councilwoman Cheatham	Yes
Councilman Glass	Yes
Councilwoman Hedgepath	Yes
Councilman Jacobus	Yes
Councilman Lorenzo	Yes
Councilwoman Garcia Montes	No

NEW BUSINESS CONTINUED:

RESOLUTION LIQUORS LICENSE FOR LAKELAND LIQUORS -

WHEREAS, the herein below names have duly filed application for renewal of their liquor license for their respective premises as shown for the year 2016, and

WHEREAS, no objections have been received from the public; and

WHEREAS, the required fees have been paid and all premises have been inspected and approved except as otherwise noted, by the Board of Health and the Bureau of Fire Prevention; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Victory Gardens that the said application be approved, and that the respective license be granted; and

BE IT FURTHER RESOLVED that in those cases where the inspectors of the different agencies of the Borough of Victory Gardens have found violations, the licensee shall comply and correct said violations within the time specified in the report by the various agencies.

BE IT FURTHER RESOLVED that the Borough Clerk be and is hereby authorized to issue license/certificates accordingly.

PLENARY RETAIL DISTRIBUTION LICENSE

1437-44-001-003

Popular Inc, T/A Lakeland Liquors
301 South Salem Street
Victory Gardens, N.J. 07801

ADOPTED: 6-14-16

Mayor, Borough of Victory Gardens

Robert L. Holub

ATTEST: Deborah Evans
Deborah Evans, Borough Clerk

I, Deborah Evans, hereby certify that this is a true and exact copy of the Resolution adopted by the Mayor and Council of the Borough of Victory Gardens, at a meeting held on 6-14-16

Deborah Evans
Deborah Evans, Borough Clerk

**** This Resolution DOES NOT include any special conditions.

Motion to approve the Resolution for Lakeland Liquors by Councilman Jacobus, seconded by Councilwoman Cheatham and approved on roll call:

Councilwoman Cheatham	Yes
Councilman Glass	Yes
Councilwoman Hedgepath	Yes
Councilman Jacobus	Yes
Councilman Lorenzo	Yes
Councilwoman Garcia Montes	Yes

NEW BUSINESS CONTINUED:

ORDINANCE FOR STORM DRAIN REPAIRS - The Clerk said the reason we are doing this Ordinance - everyone has a copy - is that we have some money in the budget for storm water drain improvements. However there isn't enough so we have to take some money out of Capital. In order to do that we have to do the Ordinance.

AN ORDINANCE PROVIDING FOR DRAINAGE IMPROVEMENTS BY THE BOROUGH OF VICTORY GARDENS, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING NOT IN EXCESS OF \$12,000 THEREFOR FROM THE RESERVE FOR DRAINAGE IMPROVEMENTS.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF VICTORY GARDENS, IN THE COUNTY OF MORRIS, NEW JERSEY, AS FOLLOWS:

Section 1. The improvement described in Section 2 of this ordinance is hereby authorized as a general improvement to be made or acquired by The Borough of Victory Gardens, in the County of Morris, New Jersey. For the said improvement or purpose stated in said Section 2, there is hereby appropriated the sum of \$12,000 (or such lesser amount as may be determined by the Administrator or the Chief Financial Officer upon determination of the actual cost of the improvement or purpose described in Section 2 below) from the Reserve for Drainage Improvement account.

Section 2. The improvements hereby authorized and purpose for which said appropriation is made are for drainage improvements in and by the Borough by the construction or reconstruction therein, including all structures, appurtenances, work and materials necessary therefore or incidental thereto, all shown on and in accordance with the plans and specifications therefore on file or to be filed in the office of the Borough Clerk and hereby approved, the \$12,000 hereby appropriated of financing said improvement.

Section 3. The capital budget or temporary capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved, by the Director, Division of Local Government Services are on file with the Borough Clerk and are available for public inspection.

Section 5. This ordinance shall take effect after publication after final adoption, as provided by law.

NEW BUSINESS CONTINUED:

ORDINANCE FOR STORM DRAIN REPAIRS CONTINUED:

Motion to approve the Ordinance by Councilman Glass, seconded by Councilwoman Montes and approved on roll call:

Councilwoman Cheatham	Yes
Councilman Glass	Yes
Councilwoman Hedgepath	Yes
Councilman Jacobus	Yes
Councilman Lorenzo	Yes
Councilwoman Garcia Montes	Yes

OLD BUSINESS:

MOBILE HOME/CAMPER ORDINANCE UPDATE - Holding off until the next meeting.

Councilman Lorenzo asked if we approved the minutes from the closed session of 5/24/16? The Clerk said when she gets approval of minutes for any regular meeting, if we have a closed session I count that as being approval for all minutes of that evening. If you want to do a separate motion for closed session you can do that.

Motion was made to approve the closed session minutes of 5/24/16 as received by Councilman Glass, seconded by Councilwoman Montes and approved on verbal vote. None opposed.

Councilwoman Montes asked if we are putting the camper/trailer ordinance on hold? Yes. For the next meeting? Yes. Councilwoman Montes said this shouldn't keep going to the Attorney until the rest of Council sees what the committee is doing and what they are giving the Attorney. We should have input as the Council. Everytime you give this to the Attorney he charges us for the revisions.

Councilman Glass said he doesn't know the legal terms and that is why the Attorney gets it. That is why we have the committee. What the Attorney typed up was not what we gave him.

Councilwoman Montes said nothing legal should be written up until after the committee writes what they need to and then they bring it to Council for their input and then if there are no other revisions then at that time the Attorney should get it.

The Clerk said the committee needs to meet again and make a list and give it to the Clerk so she can make copies for the whole Council. Then everyone will have a chance to look it over.

Councilwoman Montes said she has something about trailers that she would like to add and can she give it to the committee? The Mayor said yes. Everyone should write down their concerns so these can get addressed.

Councilman Glass said it was his understanding that the committee was formed to put this together and see what had to be done. The Mayor said that is correct. Well, now we are being questioned. Councilwoman Montes said you are not being questioned. We just want to know what you are coming up with so we can add what we are looking at also.

The Clerk asked what Council wants to do about the letter from Hector? Have him come into the next Council meeting. Council agreed.

Motion to open the meeting to the public by Councilwoman Montes, seconded by Councilman Jacobus and approved on verbal vote. None opposed.

Jim Janone - Did you get an update on lowering the flag? I did not get anything but we will lower it. On the ordinance the committee, the committee doesn't go to the Attorney. They come back to the Governing Body and then it goes to the Attorney. When will storm drains be repaired? Probably by mid July. You only approved one closed session. You need to approve the other one. I don't know how you guys gave a 21% raise this year. That is a big raise. You didn't appropriate money for the raise. It is in the line item.

PUBLIC PORTION CONTINUED:

Joan Cegelka - Was there enough money to pay Debbie D.? Yes. How much is her yearly salary with the raise? Her increase is more than an increase that you got. I know that and if Council starts handing out raises above the normal I will be the next one asking for one. A 37¢ increase equates to about \$550 per year. That is not a bad increase for her to be getting. Is she doing more work? Yes. Can anybody tell me why she got this raise? I read her letter and what she said and she listed her job duties in there. How many vacant homes did she do? I don't know. It would be on the property maintenance report.

Motion to close the meeting to the public by Councilwoman Montes, seconded by Councilwoman Cheatham and approved on verbal vote. None opposed.

Attorney Feintuch said he would like to bring something up about the ordinance he is working on. I have been going through the ordinance book and we can't isolate one thing. This is for the camper/trailer ordinance.

There are some things already in the book. I want to tell you some of them:

- 18-2.2 Parking of Motor Vehicles
- 3-16 Storage of Unlicensed Vehicles
- 3-17 Use of mini bikes, snowmobiles and unlicensed vehicles
- 7-8 Deals with parking
- 7-14 Deals with parking
- 12-3.2 Storage of Tires
- 12-3.3 Inoperable Vehicles
- 12-4 Parking on Lawns
- 23-5.5 Off street Parking - 2 parking spaces per unit

I don't know how you want to address this. You have to have at least two parking spaces per unit. If someone has a trailer where would they put it? There are some people that have 5 spaces. Someone may only have one spot. . This is in the multi family section of the ordinance.

Councilman Glass told the attorney that there was a question raised as to why he was brought in for this ordinance before the Council had a chance to review. You have to look in your book and see what you want. No one looked at these other ordinances. This is a work in progress. Are you billing us for this work? Yes. The Clerk said then nothing can be done until the Committee gets together and goes over all this information you gave tonight. Correct.

Councilwoman Montes said the whole council needs to have this information because if it goes back and forth with the committee and you then we have no voice in changes. The Attorney said the committee makes the recommendations. They have to give it to me before the rest of Council gets it because what they are telling me they want may not be legal.

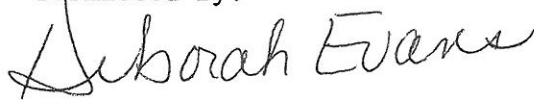
Councilman Glass said it was his understanding to have the committee to review and make recommendations. It is my understanding that we give to the attorney and if you charge, you charge for your work.

The Clerk said this is what we will do. Everyone has a copy of the committees recommendations from the beginning when you first did this. That, along with what the Attorney just gave us - all of you can look at your books and go over it. The committee can meet and go over it also. I will get the minutes done with what the Attorney gave us tonight so everyone will know where to look. Everyone will write their concerns down or questions or comments and give it to the Committee.

Councilman Glass asked if then it goes to the Attorney and he said yes. The committee will meet on Monday at 6 p.m..

Motion to adjourn the meeting by Councilwoman Montes, seconded by Councilman Glass and approved on verbal vote. None opposed.

Submitted By:



Deborah Evans
Borough Clerk